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CLERK US DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

BY ________ DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 2604

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| UNITED STATES OF AMERICA, Plaintiff, | ) | Magistrate Case Number: |
| v. | ) | **COMPLAINT FOR VIOLATION OF** |
| Luis Enrique CARRILLO | ) | Title 21, U.S.C., Sections 952 and 960 Importation of a Controlled Substance |
| Defendant, | ) | |

The undersigned complaint being duly sworn states:

On or about August 22, 2008, within the Southern District of California, Luis Enrique CARRILLO, did knowingly and intentionally import approximately 12.15 kilograms of methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
SPECIAL AGENT
U.S. IMMIGRATION and
CUSTOMS ENFORCEMENT

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS ~~22nd~~ 23rd DAY OF AUGUST.

MAGISTRATE JUDGE

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## PROBABLE CAUSE STATEMENT

I, Special Agent Scott Lensky declare under penalty of perjury, the following is true and correct:

At approximately 0453 hours on August 22, 2008, Luis Enrique CARRILLO entered the United States from the Republic of Mexico via the San Ysidro, California, Port of Entry in a 1998 Honda Accord bearing California license plates 6EUT470. CARRILLO was the driver and sole occupant of the vehicle at the time he entered the United States. CARRILLO told Customs and Border Protection Officer (CBPO) Adrian Chavira the vehicle was his and he had owned it for approximately one month. CARRILLO gave CBPO Chavira a negative declaration and explained he was going to San Diego, California. CBPO Chavira noticed CARRILLO's hands shaking when he handed over his California ID, California Birth Certificate and vehicle registration.

Canine Enforcement Officer (CEO) S. Smithson utilized his Narcotic/ Human Detection Dog, "Echo", to screen the vehicle driven by CARRILLO. "Echo" alerted to a narcotic odor exuding from the rocker panels of the vehicle.

An inspection of the vehicle resulted in the discovery of 15 packages of a white crystalline substance concealed inside the rocker panels of the vehicle. A random sample of one of the packages field-tested positive for the presence of methamphetamine. The total weight of the package containing methamphetamine was approximately 12.15 kilograms.

Immigration and Customs Enforcement Special Agents (SA) Scott Lensky and Glenn MacDonald interviewed CARRILLO. After being advised of his

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Miranda rights, which he waived, CARRILLO admitted knowledge of the methamphetamine concealed in the vehicle. CARRILLO stated he was going to be paid an unknown amount of money to deliver the vehicle to an unknown location in the United States. CARRILLO explained this was his first narcotic smuggling venture.

CARRILLO was arrested and transported to the Metropolitan Correctional Center, San Diego, CA, for custody and judicial proceedings.

Executed on August 22, 2008 at 2300 hours.

Scott Lensky
Special Agent
U.S. Immigration and Customs Enforcement

On the basis of the facts presented in the probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant named in the probable cause statement committed the offense on August 22, 2008 in violation of Title 21, United States Code, Section (s) 952 & 960 and United States Code Section 2.

United States Magistrate Judge

August 23, 2008 @ 6:10 a.m.
Date/Time